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**UNITED STATES OF AMERICA**

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Finance Docket No. 35106**

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**UNITED STATES DEPARTMENT OF ENERGY  
—RAIL CONSTRUCTION AND OPERATION—  
CALIENTE RAIL LINE IN LINCOLN, NYE,  
AND ESMERALDA COUNTIES, NEVADA**

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**NOTICE TO PARTICIPATE IN PUBLIC HEARING  
BY THE UNITED STATES DEPARTMENT OF ENERGY**

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The United States Department of Energy ("DOE") hereby respectfully gives notice of its intent to participate at the Surface Transportation Board's public hearing in this proceeding scheduled for December 4, 2008 in Las Vegas, Nevada. The proposed speaker for DOE is Mary B. Neumayr. The time requested for Ms Neumayr is twenty (20) minutes.

Dated this 14th day of November, 2008.

Respectfully submitted,

  
Mary B. Neumayr  
Deputy General Counsel for  
Environment & Nuclear Programs  
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